

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>RICHARD C. ANGINO, ALICE K.</b>	:	<b>CIVIL ACTION NO. 1:19-CV-1618</b>
<b>ANGINO, ANGINO LAW FIRM, P.C.,</b>	:	
<b>KING DRIVE CORP.,</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>Plaintiffs</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>BRANCH BANKING AND TRUST</b>	:	
<b>COMPANY,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 4th day of March, 2020, upon consideration of defendant's omnibus motion (Doc. 11) to dismiss and to strike, and for the reasons stated in the accompanying memorandum, it is hereby ORDERED that:

1. Defendant's motion to dismiss is GRANTED in part and DENIED in part, as follows:
  - a. The motion is GRANTED to the extent that plaintiffs' complaint (Doc. 1) is DISMISSED pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted. Counts 3 and 4 are dismissed without prejudice because they have not yet accrued.
  - b. The motion to dismiss is DENIED in all other respects.
2. Defendant's motion to strike is GRANTED. Plaintiffs' jury-trial demand is STRICKEN.
3. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania